IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

IN RE:	§	
	§	Civil Action Nos. 05-12 (lead
EnRe L.P.,	§	case), 05-25, 05-26
	§	
Debtor.	§	Bankr. Appeal Nos. 04-11,
	§	04-12, 04-13
	§	

ORDER AFFIRMING BANKRUPTCY COURT

After considering the record on appeal, the arguments of counsel and the relevant law, this Court hereby AFFIRMS the decision of the Bankruptcy Court in the above-styled consolidated appeal. For the reasons stated by the Bankruptcy Court, this Court holds that the Appellants are not entitled to recover attorney's fees and costs pursuant to 11 U.S.C. § 506(b). This Order is limited to the § 506(b) issue.[1]

SIGNED and ENTERED this 17th day of June, 2005.

Janis Graham Jack
United States District Judge

[1] In addition to their § 506(b) argument, Appellants argue that their attorney's fees and costs should be allowed as unsecured claims under 11 U.S.C. § 502. This § 502 argument is not properly before the Court because it was not first raised before the Bankruptcy Court. "It is a bedrock principle of appellate review that claims raised for the first time on appeal will not be considered." Stewart Glass & Mirror, Inc. v. U.S. Auto Glass Disc. Ctrs., Inc., 200 F.3d 307, 316-17 (5th Cir. 2000). This rule is fully applicable to a district court sitting in an appellate capacity in a bankruptcy appeal. See In re Ginther Trusts, 238 F.3d 686, 689 (5th Cir. 2001) (citing Matter of Gilchrist, 891 F.2d 559, 561 (5th Cir. 1990)).